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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

IN RE: ACTOS® (PIOGLITAZONE)
PRODUCTS LIABILITY LITIGATION

MDL No. 6:11-md-2299

JUDGE DOHERTY

MAGISTRATE JUDGE HANNA

This Document Applies To:
Green v. Takeda Pharmaceuticals
North America, Inc., et al
Civil Action No. 6:12-cv-00805

RULING

Magistrate Judge Patrick Hanna filed a Report and Recommendation [Rec. Doc. 248; MDL Rec. Doc. 6647] in the captioned matter on November 28, 2016, in which he recommended that this Court dismiss the claims of plaintiff Pearl Green without prejudice, due to the plaintiff's failures to prosecute her case and comply with the rules and orders of this Court. For the reasons given below, this Court adopts the Report and Recommendation and dismisses the plaintiff's claims without prejudice.

As set out in the Report and Recommendation, Ms. Green is currently unrepresented. While she was still represented, Ms. Green's former counsel filed a motion to withdraw [Rec. Doc. 234]. In response, Magistrate Judge Hanna ordered Ms. Green to appear in court on February 23, 2016 [Rec. Doc. 235], which she did not do [Rec. Docs. 236]. The motion to withdraw was granted, and Magistrate Judge Hanna ordered Ms. Green to appear in court on March 16, 2016 [Rec. Docs. 236, 237]. While the order was sent by certified mail and signed for by a Yolanda Green [Rec. Doc. 239], Ms. Green did not appear as ordered on March 16, 2016 [Rec. Doc. 240]. Thereafter, Ms. Green was ordered to appear in court on April 26, 2016 [Rec. Doc. 240]. A copy of that order was sent to Ms. Green by certified mail, but was returned unclaimed [Rec. Doc. 245],

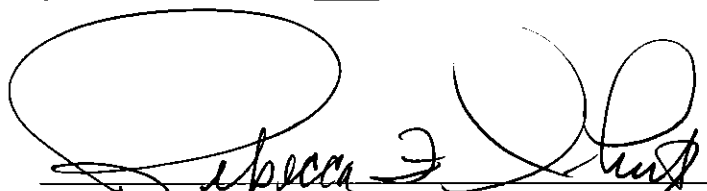
and Ms. Green did not appear in court as ordered. Ms. Green's former counsel indicated to Magistrate Judge Hanna an inability to contact Ms. Green [Rec. Doc. 246]. Given the intermittent ability to contact Ms. Green, the lack of forward progress in this matter, and the lack of contact or appearance by Ms. Green, Magistrate Judge Hanna concluded that Ms. Green might not have kept the court apprised of her current address, as required by Local Rule 11.1(1); that she has failed to prosecute her claims; and that she has failed to comply with the orders of the court. Magistrate Judge Hanna therefore issued a Report and Recommendation, recommending that this Court dismiss this matter without prejudice [Rec. Doc. 248; MDL Rec. Doc. 6647]. That Report and Recommendation was sent by certified mail and was signed for by a Rhonda Green on December 3, 2016 [Rec. Doc. 250].

Considering the facts described above, that parties have an ongoing obligation to comply with court orders and to maintain current contact information with this Court, and that no objections to the Report and Recommendation have been lodged in the time allotted therefor, this Court hereby adopts Magistrate Judge Hanna's Report and Recommendation.

IT IS HEREBY ORDERED the claims of Pearl Green are DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED a copy of this Ruling be served on Ms. Green at her last known address, P. O. Box 35, Carville, LA 70721, via certified mail, return receipt requested.

THUS DONE AND SIGNED in Lafayette, Louisiana, this 13 day of January, 2017.


REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE